

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

IAN B. MOYTEY,
ADC #600360

PLAINTIFF

v.

4:20CV00427-JM-JTK

BILL HIGGINS, et al.

DEFENDANTS

ORDER

This matter is before the Court on Plaintiff's Motions:

1) Motion for Default Judgment (Doc. No. 46) – This Motion is based on Plaintiff's belief that Defendants did not respond, as ordered by the Court, to his Motions for Preliminary Injunctive Relief and Preservation of Evidence. However, Defendants did respond, on June 30, 2020 (Doc. No. 43), and the Court issued a Proposed Findings and Recommendations on July 1, 2020 (Doc. No. 44). Therefore, Plaintiff's Motion is DENIED. The Clerk shall forward to Plaintiff a copy of the docket sheet.

2) Motion for Reconsideration (Doc. No. 48) of June 24, 2020 Order denying his Motion to Amend – DENIED.

3) Motion for Leave to File a Second Amended Complaint (Doc. No. 50) – GRANTED in part, as to Defendants Huckabay, Wilbur, and Montgomery, and DENIED as to Defendants Paxson and Clark. The Clerk shall file Doc. No. 50 as Plaintiff's Second Amended Complaint. The Clerk shall prepare summons for Defendants Huckabay, Wilbur, and Montgomery, and the United States Marshal shall serve a copy of the First and Second Amended Complaints (Doc. Nos. 6, 50) on Defendants, without prepayment of fees and costs or security therefore. No further amendments will be permitted.

4) Motion for Leave to File Memorandum of Law (Doc. No. 51) – GRANTED. The Clerk shall docket this as a Brief in support of his Second Amended Complaint.

IT IS SO ORDERED this 14th day of July, 2020.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE